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Filing date: **03/21/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92046185
Party	Plaintiff Amanda Blackhorse, Marcus Briggs, Phillip Gover, Shquanebin Lone-Bentley, Jillian Pappan, and Courtney Tsotigh
Correspondence Address	JESSE WITTEN DRINKER BIDDLE AND REATH LLP 1500 K STREET NW, SUITE 1100 WASHINGTON, DC 20005-1209 UNITED STATES Jesse.Witten@dbi.com, John.Ferman@dbi.com, Lee.Roach@dbi.com, Stephen.Wallace@dbi.com
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Signature	/Jesse A. Witten/
Date	03/21/2012
Attachments	Notice of Deposition - Pappan exhibits 7-19.pdf (34 pages)(9300446 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Registration No. 1,606,810 (REDSKINETTES)
Registered July 17, 1990,

Registration No. 1,085,092 (REDSKINS)
Registered February 7, 1978,

Registration No. 987,127 (THE REDSKINS & DESIGN)
Registered June 25, 1974,

Registration No. 986,668 (WASHINGTON REDSKINS & DESIGN)
Registered June 18, 1974,

Registration No. 978,824 (WASHINGTON REDSKINS)
Registered February 12, 1974,

and Registration No. 836,122 (THE REDSKINS—STYLIZED LETTERS)
Registered September 26, 1967

Amanda Blackhorse, Marcus Briggs,)	
Phillip Gover, Jillian Papan, and)	
Courtney Tsotigh,)	
)	
Petitioners,)	
)	Cancellation No. 92/046,185
v.)	
)	
Pro-Football, Inc.,)	
)	
)	
Registrant.)	
_____)	

**ATTACHMENT TO PETITIONERS' NOTICE OF FILING OF DEPOSITION OF
JILLIAN PAPPAN**

EXHIBITS 7-19

Respectfully Submitted,

/Jesse A. Witten/

Jesse A. Witten

Jeffrey J. Lopez

John D. V. Ferman

Lee Roach

Stephen J. Wallace

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Counsel for Petitioners

Dated: March 21, 2012

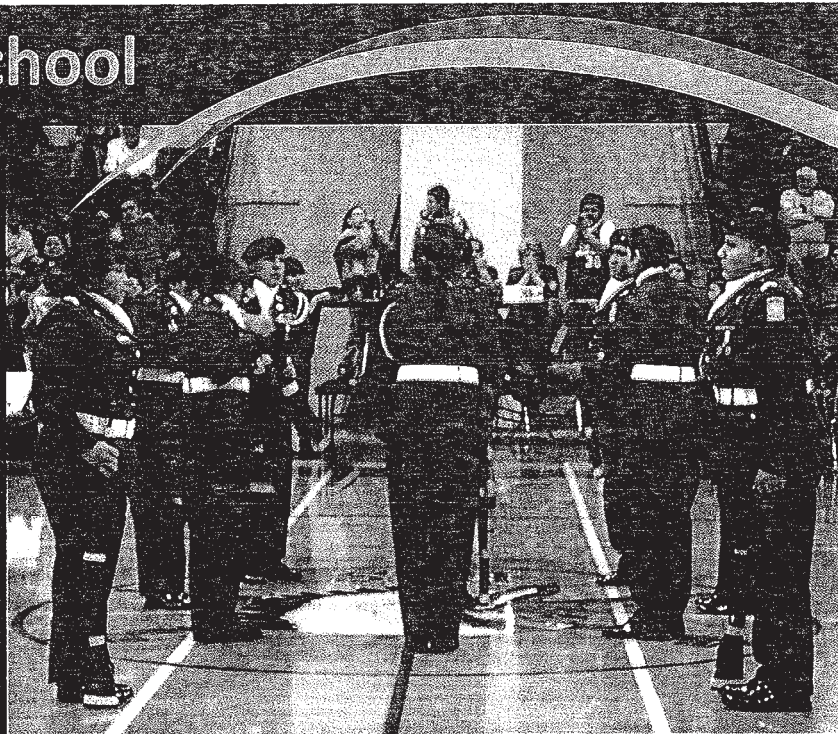
Flandreau Indian School GOOD NEWS

SPRING 2011

CONGRATULATIONS

to the following JROTC Cadets that performed March 18-19 at the Sioux Falls Drill Meet:

Lehi Aoah, Justin Brown, Julia Cook, Storm Hale, Shoshone Jorgenson, Kevin Lahi, Danielle Neiss, Lewis New Holy, Verle Pipestem, Richard Walker, Jasmine Welch, and Lake Young.



Nine teams participated in the JROTC Drill Meet from Kansas City MO, Minneapolis MN, West Fargo ND, Sturgis SD, Rapid City SD, Sioux Falls Lincoln and Washington, Des Moines IA and Flandreau Indian School.

The Cadets did an outstanding job against the biggest competition they participated in this year!

They placed 4th in Varsity Color Guard, 3rd in Unarmed Regulation Drill, 2nd Place in Armed Regulation Drill and 1st Place in Armed Exhibition.

When the team got done performing the Armed Exhibition they received a STANDING OVATION from the crowd. About 400 spectators watched. It was EXCITING!

The team placed 3rd in overall score against these big teams.

The JROTC Drill Team continued on to National Competition at the end of April in Daytona, Florida. Although not scoring as high they'd hoped, they gained valuable experience for next year!

CONGRATS on all of the accomplishments this year!

HONOR DORM: Current List

ARMSTRONG, KEEANNA*	BILLIE, THOMAS
AUKON, SARAH*	BLACK ELK, REGGIE
BEGAY, ROBYN	DISMOUNTS THRICE, JACOB
CLAYMORE, LARISSA	EARTH, DUSTIN
COLELAY, SHANTAYAH*	GARFIELD, GABE
CROSS DOG, RAEDAWN	MARTIN, AARON
EASTMAN, WILLOW	MC LAUGHLIN, DONALD
ETHELBAH, SHAFAWN*	MESTES, GARETH
GILPIN, CORRINE	PIPESTEM, VERLE*
GRANT, DEMETRIA	WATERS, SHOTAY
GRAY, CHEYENNE*	WESTON, JARED*
HEMINGER, BUTTERFLY	
KILLS SMALL, MELANIE	
LABELLE, JOSALENA*	PATTON, MIKAYLA*
LANGDEAU, MARIALAN*	PUTESOY, ALEXA*
LENDIS HIS HORSE, RANDI	REED, JODY*
MASON, DIVONNE	TYNDALL, TEISHA

* denotes Senior

2011 Gold Card Members

Brown, Jonelle	Langdeau, Marialan
Claymore, LaRissa	Patton, Mikayla
Colelay, Shantaya	Renville Bell, Clarissa
Grant, Demetria	Ruwe, Menomhognet
McLaughlin, Donald	Ten Fingers, Marcus
Weston, Jared	

PENGAD 800-631-6989

EXHIBIT

Papayan 7
8-11-11

GOING ON AROUND CAMPUS:

There are lots of great activities taking place on Campus during the week. If you have something coming, up, be sure to get pictures so we can share them with everyone.



Mrs. Gould is proud of her **Family & Consumer Science Class**



On Saturday, March 19

FIS students were entertained by bands United Ballaz along with Ruka Puff at a special concert on campus arranged by Justin Brenner. This was the second appearance on campus by United Ballaz, and they returned with some friends.



"Several students are completing their individual class project. Students are involved in latch hook projects. If you see a furry picture on campus or in one of the dorms that's it. Completing projects so far are Robert Miller, Tynell Grant, Joy Iyorpeya and Kaytlyn Beston. They need to be commended for their dedicated time and effort put into their class work."

Spring is Coming!

Track has started and many students can be seen running around campus.

Looking forward to a great season!



Indian Club Visit to DENVER MARCH

By Lillian Goodeagle



We left for the Denver March Powwow at 4:30 am Thursday, March 17th. There were 17 students that loaded the charter bus. In the past we have taken our JROTC Color Guard to be in the Grand Entry but this year they had a performance at the Sky Force game that same weekend.

We arrived in Denver at 5:00 pm and went directly to the Coliseum. The group ate at Casa Benita's Mexican Restaurant that evening. The students really enjoyed themselves because this is more than a regular restaurant but there is entertainment and variety of things to do.

Grand Entries were at 11:00 am and 7:00 pm on Friday, Saturday, and 11:00 am Sunday. Our drum group, Young Voice Singers, did a good job and was one of thirty-six drum groups. They were selected to sing the flag song on Saturday evening. The boys that sang were James Morris, Harlan Bellonger, Donnie Aukon, James Short Bear and Duke Fox. There were three boys from

Continued on Page 4



More DENVER MARCH Highlights



Continued from page 3

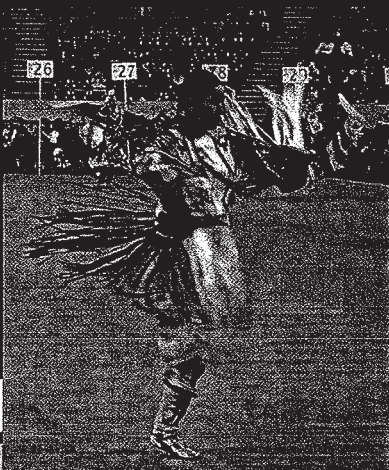
Ft. Hall, Idaho that also helped out the drum group. They will be in ninth grade next year and want to come to Flandreau Indian School.

Kenna Green/Quick Bear represented FIS as our Princess in Grand Entry. The students that danced were Kenna, Teisha Tyndall, Dia Rosario, Mikayla Chase, Kookie Oshkosh, Kristin Grant and James Morris. James won 4th place in the Teen Boys Traditional Contest.

We were honored to have the Florida Seminole Princess, Cassandra Jimmie and her chaperone, Wanda Bowers, hang out with us for the weekend. Saturday morning we got to the Coliseum and former Senator Ben Night-horse Campbell was sitting where our group was set up. He later took pictures with the students and came over to our FIS Booth.

We had seven students that took charge of our FIS Booth. They were Tracie Cross Dog, Rae Dawn Cross Dog, Shotay Waters, Larissa Claymore, Corrina Sitting Bear, Joy Iyarpeya and Dia Rosario. These students are our dedicated Hand Game Team members. We had quite a bit of traffic at our booth. They showed a FIS DVD, distributed applications, answered questions, gave out souvenirs, and had 2011 FIS All School Reunion hand outs. They did an excellent job of representing our school.

The students all enjoyed themselves and will remember this trip for a long time to come.



OPERATION PROM DRESS

Thirty-two young ladies from FIS attended Operation Prom Dress at the Lincoln Hill Bible Church in Sioux Falls on Saturday, March 19. The event was sponsored by the church and businesses throughout the community so that girls in the area would be properly pampered, polished and outfitted for their upcoming Prom events.

When the students arrived at Operation Prom Dress they were put in small groups of around five each. They had an escort that stayed with their group all day as they went from session to session.

There were a variety of mini sessions offered for all:

Hand care. They dipped their hands in a wax peel. Nails done in many different colors with embellishments on them as well.

Foot care. Feet soaked and massaged.

Dress selection. Students spent an hour here. Over 800 dresses with approximately 120 girls present. Alteration ladies present to ensure the perfect fit.

Jewelry selection. Each girl could pick out a necklace, earrings, and bracelet.

Question & Answer. They could ask or talk about anything

Professional Photographer: took a picture of them in their dress and put it on a cd for each student.

Musical performance by five sisters that were great

Accessories: shoes, purse, wrap

Prize Give Aways:

- Each girl received a Gift Card to somewhere
- Most of our girls won an additional prize
- 16 won free corsages on the day of the prom
- Each received a gift bag that entitled them to have their nails and hair done the day of the prom by Black Hills College of Beauty

The students enjoyed this special event and are looking forward to LOOKING GOOD on Prom Night!

FIS PROM: MAY 6, 2011



Chaplain's Corner by Bill Britton, FIS Chaplain

We've had great activities on Campus over the last few months. Recently we've been making masks using Plaster of Paris which required a lot of patience while waiting for our finished pieces to dry.



Students expressed their creativity at our recent Spring Flower Pot Painting Night. They got to paint, plant and keep their original designs. There are extremely talented artists in our midst!



ART CONTEST WINNERS:



FIRST PLACE: Jon Cordier



SECOND PLACE: Justice Strong



THIRD PLACE: Leah Gallagher



SPORTS AWARD BANQUET:

CONGRATULATIONS to all the athletes who were given on honors at the annual Sports Award Banquet held on Tuesday, April 26 at the Royal River Casino. Athletes were recognized for their participation and for individual accomplishments over the last school year.



Pictured:

(Left) **Jordon Bagola**, Male Sports Athlete of the Year

(Center) **Shantayah Colelay**, Female Sports & Academic Athlete of the Year

(Right) **Jared Weston**, Male Academic Athlete of the Year

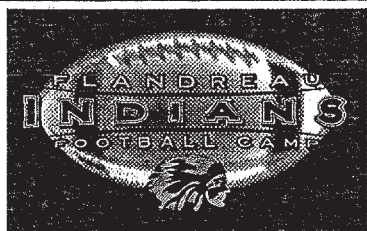




DID YOU KNOW?

Football is coming back to FIS

Many funds are needed to make this a reality. Various clothing items featuring the new football logos are available for sale in the Athletic office with Mr. Ferrell or with Justin Brenner in Home Living. Check out the link on the school website (fis.bie.edu) under the "FIS Football" tab.

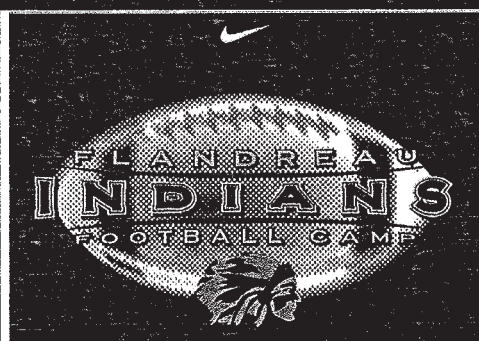


8" x 4.6" APPROX FB7 BS
SCREEPRINT ON BLAXK

- WHITE
- SUPER GOLD PMS 130
- BURGANDY PMS 209



Back Pack: \$15.00 each

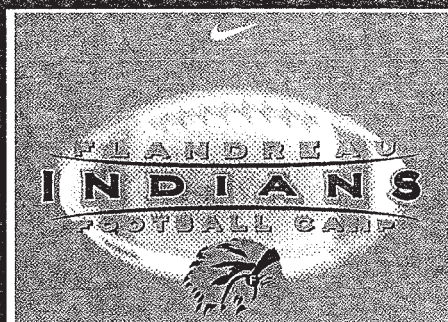


12.5" x 9.3" APPROX FB7 FF
SCREEPRINT ON BLACK

- SUPER GOLD PMS 130
- BURGANDY PMS 209
- WHITE



Black Hoodie Sweatshirt: \$40.00 each

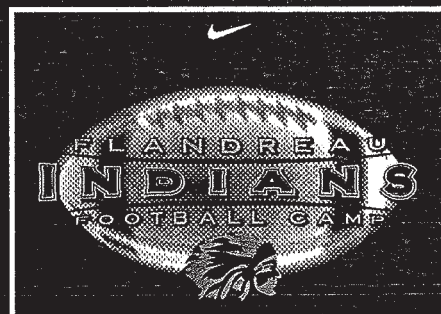


12.5" x 9.3" APPROX FB7 FF
SCREEPRINT ON GRAY

- SUPER GOLD PMS 130
- BURGANDY PMS 209
- WHITE



Gray T-Shirt: \$15.00 each

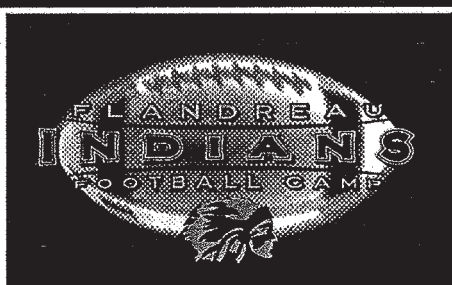


12.5" x 9.3" APPROX FB7 FF
SCREEPRINT ON BLACK

- SUPER GOLD PMS 130
- BURGANDY PMS 209
- WHITE



Black T-Shirt: \$15.00 each

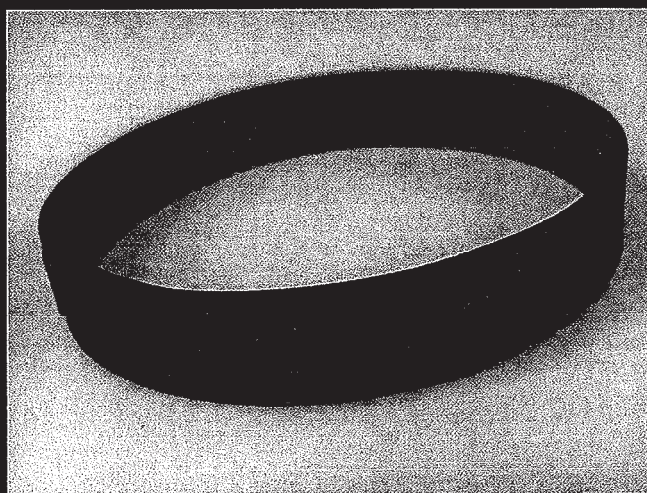


4.5" x 2.6" APPROX FB7 FT
SCREEPRINT ON BLACK

- SUPER GOLD PMS 130
- BURGANDY PMS 209
- WHITE



Black Sweatpants: \$40.00 each



Burgundy Wristband: \$3.00 each



FIS Youth Basketball Camp

Congratulations on the huge success of a first for FIS-1st *Annual Youth Basketball Camp* under the leadership of Dustin Headrick. The camp was held at the FIS gymnasium with a turnout of approximately 80 K-5th grade students. Each parent brought a food item for the local food pantry, and each student received a free t-shirt upon registration, which were donated by the Flandreau Santee Sioux Tribe.

The participants were divided into groups and the FIS students did a wonderful job of coaching and leading the drills. The FIS students who participate were Alvin Foote, Craig Chase, Jordon Bagola, Sonny Cross Dog, Tynell Grant, Hapi Flute Player, Francis Eastman, Roscoe Grant, Willow Eastman, Tiesha Tyndell, and Corine Gilpin. Staff members who assisted were Dustin Headrick, Bruce Schumacher, Ed Hansen, Lori Marks, Ed Lunday, Tammy Renville, Geriann Elverud, Dave Wilkie, Danelle McKinney, Kelly Flute Player, and Jodeen Hansen.

The participants, students and staff were treated to a free lunch provided by FIS. There has been great feedback from the community and our congratulations to the hard workers who made this possible, namely the staff and students of FIS.



ROBOTICS WORKSHOP

by Randee Lends His Horse

The workshop that we went to was very fun. We got to play with Lego robots and program them to do different things. It was difficult but we had fun. Putting the robot through the obstacle course was fun. We had to use the sensor things that we had put on the robot and make it move a certain degree or angle and try to get it through the obstacle course. There were wooden blocks in the way and we had to get the robot pass them in numerical order and we had to stop the robot on the blue "x". Although, we had to think it was so much fun.

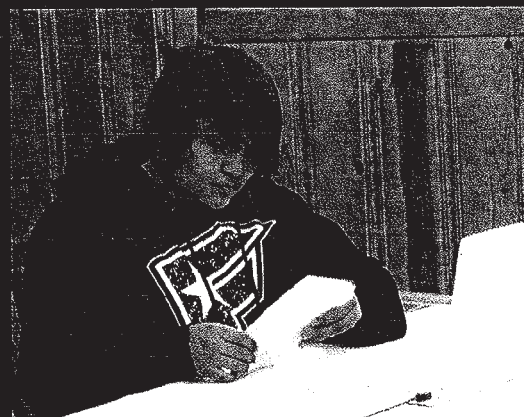


CRAZY HORSE JOURNALISM

A group of students and staff from FIS attended the Crazy Horse Journalism Workshop this past April at Crazy Horse Memorial in South Dakota's Black Hills.

Journalists and educators from around the country volunteered to teach a condensed course about the fundamentals of journalism.

Students, under the guidance of experienced mentors, reported and wrote articles, took photographs and produced multimedia projects that will be published online and printed in a newspaper. They also learned about preparing for success in college and opportunities in the news and information industry.



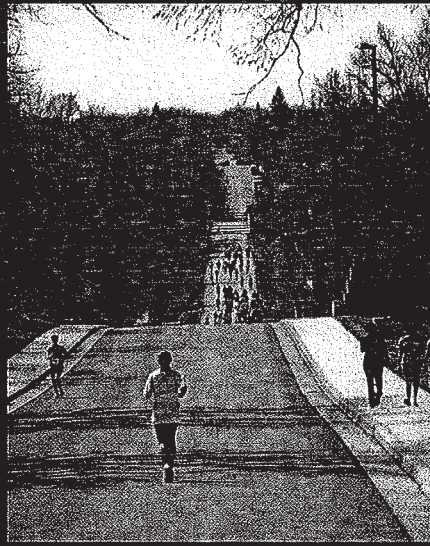
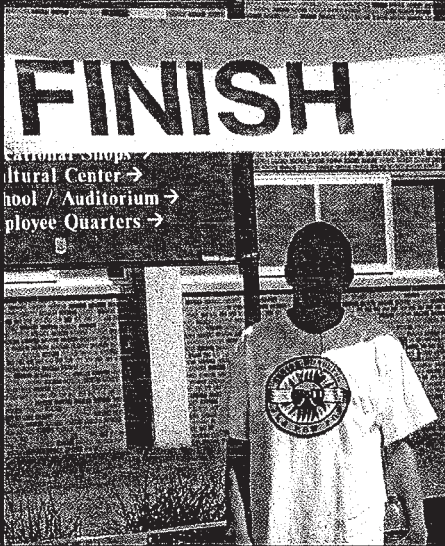
WWW.NEWSMUN.ORG/NEWSMANIA

2011 PROM HIGHLIGHTS



5K RUN/WALK

A 5K Run/Walk was held on Saturday, May 7 on the FIS Campus. Various prizes were given to the runners and walkers were encouraged to complete the 2 mile trek around the campus. It was an absolutely perfect weather day and a good time was enjoyed by all who came out. The top runner of the day was Craig Chase, an FIS student!



SENIOR HONORING POW-WOW

Immediately following the 5K Race FIS Seniors were honored for all of their academic accomplishments by the Native community in a time of celebration and reflection. Many dancers and drummers joined to recognize all that the students have achieved in their time at Flandreau Indian School.



Redacted



--- On Sat, 4/22/06, jillian pappan <jillianpappan@yahoo.com> wrote:

From: jillian pappan <jillianpappan@yahoo.com>
Subject: Intorduction and questions
To: sharjo@cris.com
Date: Saturday, April 22, 2006, 9:16 PM

Hi,

my name is Jillian Pappan, I am a senior at Flandreau Indian School in Flandreau SD. I was enrolled in a pre collage course with SDSU. We covered Joy Harjo's poems and the like. But the assignment that really got my attention was the Native American Mascott paper our professor had us wirte. We researched everything from middle schools to professional sports teams. That is when I found the court case with Washington Redskins football team and that a team of Native lawyers overturned there copyrights, I was so excited other people shared my views I read the deposition. I just wanted to say it makes me dream bigger knowing that justice is served and Native peoples are standing up for what is right not easy. I admire you and your team, and I only wish that the day I graduate from law school(cause I will)

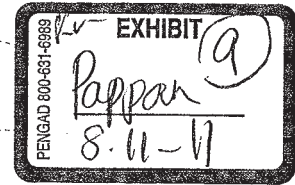
I have the courage to fight for my people dispite the challanges ignorat people pose.

I met Mike Kellogg at the Crazy horse workshop in custer last week. He touched on teh topic of Native American Mascotts and he mentioned he knew you. I was wondering if you'd like to read my paper and maybe if it is up to scrach, you might publish it? If not I'd appreciate any advice you can give me on changes. Thank you for your time,

Jillian Pappan.

Blab-away for as little as 1¢/min. Make PC-to-Phone Calls using Yahoo! Messenger with Voice.

Redacted



----- Forwarded Message -----

From: jillian pappan <jillianpappan@yahoo.com>

To: sharjo@cris.com

Sent: Mon, May 1, 2006 3:23:35 PM

Subject: My paper

Hi, thanks for the article, it was interesting. It just goes to prove the more you learn the less you know. Here is my paper, we wrote it for a basic writing class at SDSU last fall, our professor, Amy Thompson, picked the topic.

Jillian May Pappan
1113 west 16 St
Sioux City , IA 51103
jillianpappan@yahoo.com

April 22, 2006

To: The Youth across the Country and World.

From: Jillian Pappan, Native American activist in training.

Subject: Native American Mascots

My name is Jillian Pappan; I'm an 18 year old senior at the Flandreau Indian High School . I am an enrolled member of the Omaha Tribe of Macy, Nebraska as is my whole family. Currently, I'm enrolled in the SDSU-FIS success academy, and was taking Introduction to English Composition. I'm writing you this letter because I believe it's time for a change, both in the way we think, and the way we react. But first, I have to establish some background.

From the beginning of Colonialism, indigenous peoples the world over have been overlooked for the sake of empires, and none more so than those native to the Americas . In the beginning the initial mistreatment was to further efforts in Spanish colonization. Columbus was sent to find new trade routes to India , and in true esquire of the times, he stumbled around a mass of land he deemed to be India , and its inhabitants Indians...or so the history book goes. The story I'm going to tell you is in no modern history book. It is a story of genocide akin to Hitler's infamous belief that Jews weren't pure enough to live and so he set to purge his world of them in the most brutal of ways. He condemned men, women and children to concentration camps where they were killed in masses by gas chambers disguised as showers and sometimes they were starved to death. Either way

when you hear the word genocide your mind jumps straight to Nazi Germany and forgets the most legendary slaughter of all...the American Genocide.

Three questions have to be asked: first, what would have happened if Hitler had won his war? Would the world honor him as a bittersweet hero, sharing in his beliefs of one superior race? Second, what is history other than a detailed account of what has happened according to one author's view? Finally, what does all this have to do with Native American Mascots?

I don't need to draw a scenario for you on what would happen if a regime were ever to attempt genocide; history is scattered with them. The vision I need to bring to your attention is a sick one, it involves countries the world over, showing blatant disrespect of a culture millions have died to maintain. I'm talking about my ancestors; I'm talking about former chiefs. The decisions they made to keep their cultures alive, to somehow manage to pick up the pieces, and start anew.

I have often overlooked some things people fight so valiantly for, but today I write for a sincere cause, Native American Mascots. It is wrong to take a race and subject them to radical slurs and decimation based upon creed, religion and color, so states the US Constitution. So why do sports teams, both state and national, use Native Americans in a stereotypical context and get away with it? Some teams harboring names such as "Redskins," "Braves" or "Indians" have little miniature characters that create a false representation of what Native Americans look like. My question is, how can they respect our culture when they haven't even seen it? There are those who support the University of Illinois, "Illiniwek", a faith so deep in university tradition they lash out at any person who dare oppose them.

From the movie entitled, 'In Whose Honor' the fans and university officials proclaim that the half time dance is authentic and that they went to a local tribe to learn the moves, however, the drum beat they use, which is said to be the heartbeat of the people, is a fake digital audio. How is it honoring a people when you take their leader in all his regalia and prance around doing cheesy cheerleading stunts barefoot, then have the gall to call it honor? I wasn't aware tribal leaders made it custom to make a fool of themselves for the sake of a thousand or so fans for entertainment.

However, those who are in support of Native American mascots say it's not a problem for them to have mascots of another race. They say it is an honor to use Native peoples as mascots, it creates a tradition. When that defense is countered, the rebuttal is that words don't mean a thing, words are just words. For example, the owners of the Washington Redskins, say "redskin" only pertains to a football team and the word itself isn't offensive; after researching the word thoroughly, I found in Merriam Webster's collegiate dictionary that it's considered an offensive term in reference to Native Americans.

Why should a team have a name that is defined as a racial slur to Native Americans just like "nigger" is to African Americans? Why should they say they are honoring us when mascots support the belief that words don't mean a thing? If they were really interested in Native American cultures, then they would know that Native Americans historically believed in the oral tradition. Our stories are passed down through words; our

battles were settled through words, and having said that, no culturally aware person would take that defense. Why would a country that held no respect or reverence for these Native American cultures? A country who set about to annihilate millions for land, a country whose policy up until the late 20's was against us even being citizens, suddenly turn around and honor us?

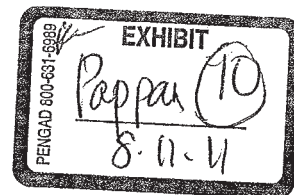
In conclusion, this is no different then yet another US attempt at genocide. At least in the past, colonial Americans were open about their disregard for our cultures and pursued our destruction. Now racists stand unified and proclaim their belief that honoring Native Americans through stereotypical characters is right. We are a living, breathing culture and it's insulting if not downright hypocritical of this nation to call discrimination honoring. When I see a mascot such as Chief Illiniwek or the Atlanta Braves tomahawk chop mocking my culture, I think of my mother suffering in Sundance to earn her pipe. I see my grandma struggling to maintain her sacred grounds for her grandchildren to learn their culture. This country should spend less time 'honoring' us, and more time learning to understand our culture. Native American mascots are plain rude and racially wrong!

Respectfully yours,

Jillian Pappan

For some reason the attach files botton dosen't like me. good olde cut&paste.

New Yahoo! Messenger with Voice. Call regular phones from your PC and save big.



FOR IMMEDIATE RELEASE

DATE: September 24, 2004

CONTACT: Adam Clymer at 202-879-6757 or 202 549-7161 (cell)

VISIT: www.naes04.org

**Most Indians Say Name of Washington "Redskins" Is Acceptable
While 9 Percent Call It Offensive, Annenberg Data Show**

Most American Indians say that calling Washington's professional football team the "Redskins" does not bother them, the University of Pennsylvania's National Annenberg Election Survey shows.

Ninety percent of Indians took that position, while 9 percent said they found the name "offensive." One percent had no answer. The margin of sampling error for those findings was plus or minus two percentage points.

Because they make up a very small proportion of the total population, the responses of 768 people who said they were Indians or Native Americans were collected over a very long period of polling, from October 7, 2003 through September 20, 2004. They included Indians from every state except Alaska and Hawaii, where the Annenberg survey does not interview. The question that was put to them was "The professional football team in Washington calls itself the Washington Redskins. As a Native American, do you find that name offensive or doesn't it bother you?"

Some Indian leaders have called upon the team to change the name, but the Redskins' owner, Daniel Snyder, has insisted it will keep the name it has had ever since 1933, when it played in Boston. The team moved to Washington in 1937.

There was little variation among subgroups of Native Americans. Eight percent of men and 9 percent of women said the name was offensive, while 90 percent of each sex said it did not bother them. Ten percent of Indians under 45 found the name offensive, compared to 8 percent of those 45 and older.

Thirteen percent of Indians with college degrees or more education said "Redskins" was offensive, compared to 9 percent of those with some college and 6 percent of those with a high school education or less. Fourteen percent of Indians who called themselves politically liberal said the name was offensive, compared to 9 percent of moderates and 6 percent of conservatives. Among Indians with household incomes of \$75,000 or more, 12 percent found the name offensive, compared to 9 percent of those with incomes between \$35,000 and \$75,000 and 8 percent of those with incomes below \$35,000.

-More-

The National Annenberg Election Survey is a project of the Annenberg Public Policy Center of the University of Pennsylvania (www.AnnenbergPublicPolicyCenter.org). Dr. Kathleen Hall Jamieson is the director of the survey. Ken Winneg is the managing director of the survey. Adam Clymer is the political director of the survey.

Another major election project of the Annenberg Public Policy Center is FactCheck.org, a project that tries to hold politicians accountable by exposing false or misleading campaign statements. It is available online at www.FactCheck.Org.

Survey Methodology

The National Annenberg Election Survey (NAES) is a survey conducted each presidential election by the Annenberg Public Policy Center of the University of Pennsylvania.

The 2004 National Annenberg Election Survey is based on telephone interviews which began October 7, 2003 and will continue past Election Day.

The sample of telephone exchanges called was randomly selected by a computer from a complete list of thousands of active residential exchanges across the country. Within each exchange, random digits were added to form a complete telephone number, thus permitting access to both listed and unlisted numbers. Within each household, one adult was designated by a random procedure to be the respondent for the survey. The interviewing is conducted by Schulman, Ronca, Bucuvalas, Inc.

This report deals with interviewing conducted from Oct. 7, 2003, through September 20, 2004. In that period 65,047 adults were interviewed, of whom 768 identified themselves as Indians or Native Americans.

In theory, in 19 cases out of 20 the results for these interviews will differ by no more than two percentage points, up or down, from what would have been obtained by interviewing all American adults. For smaller subgroups, the margin of sampling error would be higher.

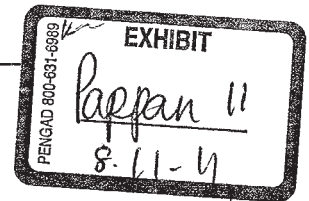
In addition to sampling error, the practical difficulties of conducting any survey of public opinion may introduce other sources of error into the poll. Variations in the wording and order of questions, for example, may lead to somewhat different results.

If you would like to be removed from this press release list, please call or email Jennifer Wilhelm at jwilhelm@asc.upenn.edu or (202) 879-6747.

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MAGAZINE

The Indian Wars

The campaign against Indian nicknames and mascots presumes that they offend Native Americans -- but do they? We took a poll, and you won't believe the results

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By S.L. Price

SI Flashback

Solve this word problem: Billy Mills, the former runner who won the gold medal in the 10,000 meters at the 1964 Olympics, is on a commercial airliner hurtling somewhere over the U.S. It is August 2001. Because Mills's father and mother were three-quarters and one-quarter Native American, respectively, he grew up being called *half-breed* until that was no longer socially acceptable. As sensibilities shifted over the years, he heard a variety of words and phrases describing his ethnic background, from Indian to Sioux to Native American to the one with which he is most comfortable, the age-old name of his tribal nation: Lakota.

Mills is sitting in first class. A flight attendant -- the words *steward* and *stewardess* are frowned upon today -- checks on him every so often. The man is African-American, the preferred designation for his racial background; before that, society called him *black* or *colored* or *Negro*. The man is friendly, doing his job. Each time he addresses Mills, he calls him Chief. Mills doesn't know if the flight attendant realizes that he is Lakota. Maybe he calls everyone Chief. Maybe he means it as



Many teams have retired their dancing, whooping Native American mascots, but Illinois' Chief Illiniwek marches on.

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a compliment. Mills motions him over.

Seth Perman/AP

"I want to tell you something," Mills says. The man leans in. "I'm Native American, and you calling me Chief, it turns my stomach. It'd be very similar to somebody calling you Nigger."

The flight attendant looks at Mills. He says, "Calling you Chief doesn't bother *me*...Chief."

Who is right and who wrong? Whose feelings take precedence? Most important, who gets to decide what we call one another?

If you've figured out an answer, don't celebrate yet. The above confrontation is only a warmup for sport's thorniest word problem: the use of Native American names (and mascots that represent them) by high school, college and professional teams. For more than 30 years the debate has been raging over whether names such as Redskins, Braves, Chiefs and Indians honor or defile Native Americans, whether clownish figures like the Cleveland Indians' Chief Wahoo have any place in today's racially sensitive climate and whether the sight of thousands of non-Native Americans doing the tomahawk chop at Atlanta's Turner Field is mindless fun or mass bigotry. It's an argument that, because it mixes mere sports with the sensitivities of a people who were nearly exterminated, seems both trivial and profound -- and it's further complicated by the fact that for three out of four Native Americans, even a nickname such as Redskins, which many whites consider racist, isn't objectionable.

Indeed, some Native Americans -- even those who purportedly object to Indian team nicknames -- wear Washington Redskins paraphernalia with pride. Two such men showed up in late January at Augustana College in Sioux Falls, S.Dak., for a conference on race relations. "They were speaking against the Indian nicknames, but they were wearing Redskins sweatshirts, and one had on a Redskins cap," says Betty Ann Gross, a member of the Sisseton-Wahpeton Sioux tribe. "No one asked them about it. They looked pretty militant."

Gross's own case illustrates how slippery the issue can be. She grew up on a reservation in South Dakota and went to Sisseton High, a public school on the reservation whose teams are called the Redmen. Gross, 49, can't recall a time when people on the reservation weren't arguing about the team name, evenly divided between those who were proud of it and those who were ashamed. Gross recently completed a study that led the South Dakota state government to change the names of 38 places and landmarks around the state, yet she has mixed feelings on the sports issue. She wants Indian mascots and the tomahawk chop discarded, but she has no problem with team names like the Fighting Sioux (University of North Dakota) or even the Redskins. "There's a lot of division," Gross says. "We're confused, and if we're confused, you guys should be really confused."

Indeed, a recent SI poll suggests that although Native American activists are virtually united in opposition to the use of Indian nicknames and mascots, the Native American population sees the issue far differently. Asked if high school and college teams should stop using Indian nicknames, 81% of Native American respondents said no. As for pro sports, 83% of Native American respondents said teams should not stop using Indian nicknames, mascots, characters and symbols. Opinion is far more divided on reservations, yet a majority (67%) there said the usage by pro teams should not cease, while 32% said it should.

"I take the middle ground," says Leigh J. Kuwanwisiwma, 51, director of the Hopi Cultural Preservation Office in Kykotsmobi, Ariz., and an avid devotee of the Atlanta Braves. "I don't see anything wrong with Indian nicknames as long as they're not meant to be derogatory. Some tribal schools on Arizona reservations use *Indians* as a nickname themselves. The Phoenix Indian High School's newspaper is *The Redskin*. I don't mind the tomahawk chop. It's all in good fun. This is sports, after all. In my living room, I'll be watching a Braves game and occasionally do the chop."

Native American activists dismiss such opinion as misguided ("There are happy campers on every plantation," says Suzan Harjo, president of the Morning Star Institute, an Indian-rights organization based in Washington, D.C.) or as evidence that Native Americans' self-esteem has fallen so low that they don't even know when they're being insulted. American Indians -- unlike, say, the Irish Catholics who founded Notre Dame and named its teams the Fighting Irish -- had no hand in creating most of the teams that use their names; their identities were plucked from them wholesale and used for frivolous purposes, like firing up fans at ball games.

"This is no honor," says Michael Yellow Bird, an associate professor of social work at Arizona State. "We lost our land, we lost our languages, we lost our children. Proportionately speaking, indigenous peoples [in the U.S.] are incarcerated more than any other group, we have more racial violence perpetrated upon us, and we are forgotten. If people think this is how to honor us, then colonization has really taken hold."

Regardless, the campaign to erase Indian team names and symbols nationwide has been a success. Though Native American activists have made little progress at the highest level of pro sports -- officials of the Atlanta Braves, Chicago Blackhawks, Cleveland Indians and Washington Redskins, for example, say they have no intention of changing their teams' names or mascots -- their single-minded pursuit of the issue has literally changed the face of sports in the U.S. Since 1969, when Oklahoma disavowed its mascot Little Red (a student wearing an Indian war bonnet, buckskin costume and moccasins), more than 600 school teams and minor league professional clubs have dropped nicknames deemed offensive by Native American groups.

What's more, the movement continues. On Jan. 9 the Metropolitan Washington Council of Governments, which represents 17 local governments in D.C., southern Maryland and northern Virginia, voted 11-2 to adopt a resolution calling the Redskins name "demeaning and dehumanizing" and asking team owner Dan Snyder to change it by next season. A week earlier former Redskins fullback Dale Atkeson had been told by the California Department of Motor Vehicles to remove his vanity plates reading 1 REDSKN. The word *Redskin* was banned on plates by the DMV in 1999.

"We consider ourselves racially sensitive," says D.C. council member Carol Schwartz, who introduced the resolution against the Redskins, "yet in this one area we are so hypocritical. Since when is a sports team's name more important than the sensitivities of our fellow human beings? For decades we had the Washington Bullets, and [owner] Abe Pollin on his own changed the name [in 1997, because of the high murder rate in D.C.]. Guess what? The world did not stop spinning. Why we would keep this racist term is beyond me."

While those who support names such as Seminoles (Florida State) and Braves can argue that the words celebrate Native American traditions, applying that claim to the Redskins is absurd. Nevertheless, Redskins vice president Karl Swanson says the name "symbolizes courage, dignity and leadership and has always been employed in that manner" -- conveniently ignoring the fact that in popular usage dating back four centuries, the word has been a slur based on skin color. Swanson trots out research that traces the term *redskin* to Native Americans' custom of daubing on red paint before battle. Many experts on Native American history point out that the red paint was used not for war but for burial, and that the word *redskin* was first used by whites who paid and received bounties for dead Indians. "If you research the origin of *redskin*, no one would want that associated with his team," says pro golfer Notah Begay III, who is half Navajo and half Pueblo. "Trading-post owners used to offer rewards for Indian scalps. Signs would say something like, 'Redskin scalps, worth so much.'"

However, what's most important, Swanson counters, is intent: Because the Redskins and their fans *mean* nothing racist by using the nickname, it isn't racist or offensive. "This has been the name of our organization for 70 years," Swanson says. "We believe it has taken on a meaning independent of the word itself -- and it's positive."

Not so, says Harjo: "There's no more derogatory word that's used against us, about us, in

the English language. Even if it didn't have such heinous origins, everyone knows that it has never been an honorific. It's a terrible insult."

Harjo is not alone in her thinking. A slew of dictionaries agree that *redskin* is contemptuous, and so do Native American academics, nearly every Native American organization and three judges on the U.S. Trademark Trial and Appeal Board. In April 1999, responding to a lawsuit brought by Harjo and six other Indian leaders, the board stripped the Washington Redskins of federal protection on their seven trademarks. If the decision stands up under appeal, the team and the NFL could lose an estimated \$5 million annually on sales of licensed merchandise.

Even though no team name is under more sustained attack, there's evidence that for the Redskins, a name change would be good for business. In 1996, after much pressure from alumni threatening to withdraw their financial support, Miami (Ohio) University acceded to the Miami tribe's request that it change its team names from Redskins to Redhawks. The following year alumni gave a record \$25 million to the school. "Someday it will change," Miami spokesman Richard Little says of the Washington Redskins name. "And you know what? There'll still be a football team there, and there'll still be those ugly fat guys in dresses cheering for it."

Swanson says the vast majority of Redskins fans like the name, and indeed, beyond the protests of politicians, there's no groundswell of outrage against it in D.C. In a city so racially sensitive that an aide to mayor Anthony Williams was forced to resign in 1999 for *correctly* using the nonracial term *niggardly*, there's nothing hotter than the mass pilgrimage of 80,000 fans to Landover, Md., on Sundays in autumn to sing *Hail to the Redskins* at FedEx Field. Williams mentioned changing the name at a press conference once, but "no one really paid attention," says his aide Tony Bullock. "It's not something that anyone is really talking about." Nevertheless, Bullock says, "the mayor believes it is time to change the name."

That the name is offensive to Native Americans is easy for non-Natives to presume. It resonates when an Olympic hero and former Marine Corps captain such as Mills, who speaks out against Indian names and mascots at schools around the country, insists that a team named Redskins in the capital of the nation that committed genocide against Native Americans is the equivalent of a soccer team in Germany being called the Berlin Kikes. Says Mills, "Our truth is, *redskin* is tied to the murder of indigenous people."

Somehow that message is lost on most of Mills's fellow Native Americans. Asked if they were offended by the name Redskins, 75% of Native American respondents in SI's poll said they were not, and even on reservations, where Native American culture and influence are perhaps felt most intensely, 62% said they weren't offended. Overall, 69% of Native American respondents -- and 57% of those living on reservations -- feel it's O.K. for the Washington Redskins to continue using the name. "I like the name Redskins," says Mark Timentwa, 50, a member of the Colville Confederated Tribes in Washington State who lives on the tribes' reservation. "A few elders find it offensive, but my mother loves the Redskins."

Only 29% of Native Americans, and 40% living on reservations, thought Snyder should change his team's name. Such indifference implies a near total disconnect between Native American activists and the general Native American population on this issue. "To a lot of the younger folks the name Redskins is tied to the football team, and it doesn't represent anything more than the team," says Roland McCook, a member of the tribal council of the Ute tribe in Fort Duchesne, Utah.

The Utes' experience with the University of Utah might serve as a model for successful resolution of conflicts over Indian nicknames. Four years ago the council met with university officials, who made it clear that they would change their teams' name, the Running Utes, if the tribe found it objectionable. (The university had retired its cartoonish Indian mascot years before.) The council was perfectly happy to have the Ute name continue to circulate in the nations' sports pages, but council members said they intended


to keep a close eye on its use. "We came away with an understanding that as long as the university used the Ute name in a positive manner that preserved the integrity of the Ute tribe, we would allow the use of the name and the Ute logo [two eagle feathers and a drum]," says McCook. Florida State, likewise, uses the name Seminoles for its teams with the express approval of the Seminole nation.

Like the Ute tribe, most Native Americans have no problem with teams using names like Indians and Fighting Illini -- or even imposed names like Sioux. "People get upset about the Fighting Sioux, but why?" Gross says. "We're not Sioux people, anyway. The French and the Ojibway tribe gave us that name, and they're our hereditary enemies. We're not braves, and we're not really Indians. I know the history. For me those names are not a problem." Many Native Americans are offended, however, by mascots such as Illinois's Chief Illiniwek and others that dress up in feathers and so-called war paint. "Just do away with the imagery -- the dancing, the pageantry," says Gross.

Which brings us to the point at which the word problem becomes a number problem. Say you are a team owner. You kiss Chief Wahoo goodbye. Stop the chop. Dump the fake Indian garb, the turkey feathers and the war paint. Get rid of, say, the Redskins name because it's got a sullied history and just sounds wrong. Rename the team the Washington Warriors -- without the Indian-head logo -- and watch the new team hats and jackets hit the stores. Money is going to pour in, you see, and someone will have to count it.

Issue date: March 4, 2002


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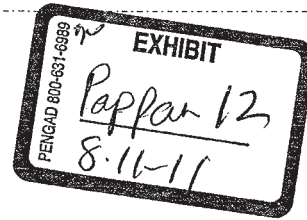
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Amanda Blackhorse

----- Forwarded Message -----

From: "sharjo@cris.com" <sharjo@cris.com>

To: Amanda Blackhorse <amandablackhorse@yahoo.com>; Courtney Tsothigh <ec421_coco@yahoo.com>; Jillian Pappan <jillianpappan@yahoo.com>; Marcus Briggs <fekecvte@aol.com>; Phil Gover <phil.gover@gmail.com>; Shquanebin Lone-Bentley <slone-bentley@hotmail.com>

Cc: Raymond D. Apodaca <RApodaca@acf.hhs.gov>; Manley A. Begay Jr. <mbegay@u.arizona.edu>; nhill1126@comcast.net; William A. Means <BMeans@ngwmail.des.state.mn.us>; 'Mateo Romero' <mateoromero007@hotmail.com>

Sent: Saturday, August 19, 2006 4:11 PM

Subject: virtual intro

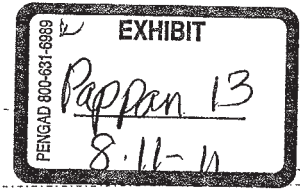
Dear All,

This is to introduce the 1992 petitioners to the 2006 petitioners. Now that you know how to reach each other, I hope you will be in touch.

Aho. Mvto.

Suzan

Redacted



Amanda Blackhorse

----- Forwarded Message -----

From: "sharjo@cris.com" <sharjo@cris.com>

To: Amanda Blackhorse <amandablackhorse@yahoo.com>; Courtney Tsotigh <ec421_coco@yahoo.com>; Jillian Pappan <jillianpappan@yahoo.com>; Marcus Briggs <fekecvte@aol.com>; Phil Gover <phil.gover@gmail.com>; Shquanebin Lone-Bentley <slone-bentley@hotmail.com>

Sent: Saturday, August 19, 2006 4:13 PM

Subject: Congratulations!

Dear All,

Congratulations on the filing and the first media barrage. Jillian, you were terrific at the NAJA presentation and on the press telephone conference. Courtney, I loved your quotes in the Daily Oklahoman. My friend, Joe Hight, who's the managing editor of the Daily Oklahoman, was the person who directed the reporter to track you down. He may want to have someone else do a profile of you later.

Let's be in touch about other potential press opportunities. Amanda, I'll be in KC, MO in November. Perhaps you can join me in an interview. Marcus, please send me your schedule. I never know what part of the country you're in. Phil and Shquanebin, let's do some sort of talk and press thing in DC sometime this fall. Phil, is there any chance you will be at the Pride or Prejudice conference at ASU in October?

Would you each be so kind as to send me your mailing addresses, telephone numbers and student status or work position or both?

Here's my contact info:

Suzan Shown Harjo, 611 Pennsylvania Ave., SE #377, Washington,
DC 20003

BLACKHORSE-000314

202-547-5531-tel / 202-546-6724-fax

Feel free to contact me if you need anything or want to talk about stuff.
I'm going to send you an intro to my co-plaintiffs in the 1992 lawsuit, so
that you might be in touch with them, too.

Aho. Myto.

Suzan

Redacted

Amanda Blackhorse

----- Forwarded Message -----

From: Suzan Harjo <suzanharjo@mac.com>

To: Amanda Blackhorse <amandablackhorse@yahoo.com>; Marcus Briggs-Cloud <fekecvte@aol.com>; Phil Gover <phil.gover@gmail.com>; Shquanebin Lone-Bentley <slone-bentley@hotmail.com>; Jillian Pappan <jillianpappan@yahoo.com>; Courtney Tsotigh <ec421_coco@yahoo.com>; Courtney A. Tsotigh <ctsotigh.stu@okcu.edu>

Sent: Sunday, June 21, 2009 4:33 PM

Subject: CONFIDENTIAL - not for further distribution or publication

Dear Friends,

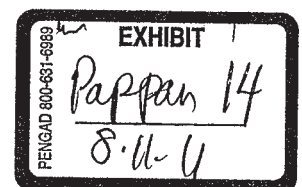
Do you know and can you recommend any Native person(s) who would like to be a plaintiff in the lawsuit who is now 17 and soon to turn 18? If so, please ask her or him or them to contact me by email. They would have to be 17, a tribal citizen, disparaged by the name of the Washington football club and interested in being represented on a pro bono basis in the lawsuit in which you are plaintiffs. Do not email this message. Anyone you communicate with should call (202-547-5531 or email me directly with their contact info and date/place of birth.

Also, if you do not know of anyone who fits the bill, please let me know that.

I hope this finds you all well and happy.

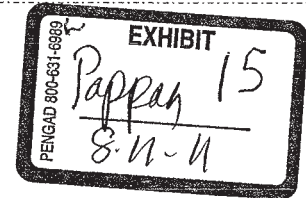
Aho.

Suzan



Redacted

Amanda Blackhorse



----- Forwarded Message -----

From: Suzan Harjo <suzanharjo@mac.com>

To: Amanda Blackhorse <amandablackhorse@yahoo.com>; Marcus Briggs-Cloud <fekecvte@aol.com>; Phil Gover <phil.gover@gmail.com>; Shquanebin Lone-Bentley <slone-bentley@hotmail.com>; Jillian Pappan <jillianpappan@yahoo.com>; Courtney A. Tsotigh <ctsotigh.stu@okcu.edu>

Sent: Sunday, June 28, 2009 4:53 PM

Subject: Confidential - second request for referrals for lawsuit

Dear Friends,

I'm making another request for your referrals for Native people who are 17 or who have just turned 18, who are disparaged by the name of the Washington football club and who would be interested in being a part of a lawsuit like ours.

Courtney gets a gold star! She's already made a referral (and is welcome to make others). The people can be relatives.

Thank you.

Aho. Mvto.

Suzan

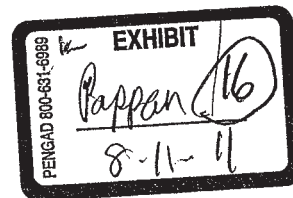
Redacted

--- On Tue, 7/7/09, jill <jillianpappan@yahoo.com> wrote:

From: jill <jillianpappan@yahoo.com>
Subject: Adding to
To: "Suzan Harjo" <suzanharjo@mac.com>
Date: Tuesday, July 7, 2009, 9:01 PM

Hi susan,
I'm was not able to get any one who fit the guidelines. But will keep
looking.

Sent from my iPod



Redacted



--- On Fri, 11/20/09, Suzan Harjo <suzanharjo@mac.com> wrote:

From: Suzan Harjo <suzanharjo@mac.com>
Subject: Confidential - new petitioners
To: "Amanda Blackhorse" <amandablackhorse@yahoo.com>, "Marcus Briggs-Cloud" <fekecvte@aol.com>, "Phil Gover" <phil.gover@gmail.com>, "Shquanebin Lone-Bentley" <slone-bentley@hotmail.com>, "Jillian Pappan" <jillianpappan@yahoo.com>, "Courtney Tsotigh" <Ctsotigh@gmail.com>
Date: Friday, November 20, 2009, 9:15 AM

Dear Friends,

We're stepping up the effort to find young Native people who soon will turn 18 or have just turned 18. When I asked some months ago, Marcus and Courtney came up with people, but only one of them is confirmed. To refresh your memory, they must be tribally enrolled, be disparaged by the name of the Wash. football team's name and want to be part of a lawsuit with pro bono representation by DBR. Thanks for doing this on a quick turn around basis.

Aho.

Suzan

From: Suzan Harjo (suzanharjo@mac.com)
To: amandablackhorse@yahoo.com; fekecvte@aol.com; phil.gover@gmail.com; slone-bentley@hotmail.com; jillianpappan@yahoo.com; ec421_coco@yahoo.com;
Date: Sun, November 22, 2009 8:39:49 PM
Cc:
Subject: bio, please

Dear Friends,

Please send your current resume and a short bio as soon as you can.

Have a wonderful Thanksgiving Day and Native American Day!

Aho.

Suzan



Redacted



--- On Fri, 7/11/08, Suzan Harjo <suzanharjo@mac.com> wrote:

From: Suzan Harjo <suzanharjo@mac.com>

Subject: FYI - anticipated decision

To: "Amanda Blackhorse" <amandablackhorse@yahoo.com>, "Marcus Briggs" <fekecvte@aol.com>, "Phil Gover" <phil.gover@gmail.com>, "Shquanebin Lone-Bentley" <slone-bentley@hotmail.com>, "Jillian Pappan" <jillianpappan@yahoo.com>, "Courtney Tsotigh" <ec421_coco@yahoo.com>

Date: Friday, July 11, 2008, 4:00 PM

Dear Friends,

The district court judge finally made her ruling on the question of whether laches runs against Mateo Romero. As anticipated, she decided that he waited too long after coming of age to file the case. I haven't talked with our lead attorney, but it is likely that we will appeal the decision to the U.S. Court of Appeals for the District of Columbia Circuit. The Appeals Court could say that all the Native plaintiffs in the Harjo et al case are barred by laches and never get to the merits of our case. Or, they could make a ruling on disparagement. If they don't get to the meat of the matter in our case, they will face it in the case of Blackhorse et al, which was filed two years ago and has been suspended, pending the outcome of our case. None of you Blackhorse et al plaintiffs have a laches problem, because you were 18-24 at the time of filing. We Harjo et al plaintiffs don't believe we are barred by laches, but it is the loophole justice that we may get.

Speaking of passage of time, we are in the 16th year of litigation. The district court judge took three years to make this ruling and four and one-half years to make her earlier ruling. The three PTO T-TAB judges took under seven years to make their ruling.

Aho.

Suzan